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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/983,043	10/22/2001	Georges Gosselin	14701-1US MJS/SC/sm	8201

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CANADA

EXAMINER

HORTON, YVONNE MICHELE

ART UNIT	PAPER NUMBER
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3635

DATE MAILED: 11/19/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/984,043

Applicant(s)
GEORGES GOSSELIN ET AL.

Examiner
YVONNE M. HORTON

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Aug 25, 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 and 30 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 8, 9, and 30 is/are rejected.
- 7) ☒ Claim(s) 7 and 10-12 is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

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DETAILED ACTION

Response to Amendment

1. The amendment filed 8/25/03 is objected to under 35 U.S.C. 132 because it introduces new matter into the disclosure. 35 U.S.C. 132 states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows: there is no support in the specification for upper and lower nodes. The specification only details nodal points, but never upper or lower nodes.

Applicant is required to cancel the new matter in the reply to this Office Action.

Claim Rejections - 35 USC § 102

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claims 1-6,8 and 30 are rejected under 35 U.S.C. 102(b) as being anticipated by GB 888,798 GB 888,798 discloses the use of a joist including upper and lower vertically spaced chords (1) interconnected by a succession of alternating and continuously interengaged tension (T) and compression (C) webs extending therebetween. Each one of the compression webs (C) are disposed between linking successive tension webs (T) such that a lower end portion (14) of any compression web “presses” a lower end portion (12) of the tension web (T) against a top surface of the lower chord (1) thereby forming a “lower node” (LN) and an upper end portion (14) of any given compression web (C) Presses and upper end portion (12) of the tension web

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(T) against an undersurface of the upper chord (1) to thereby form an upper node (UN); wherein the upper node (UN) and lower node (LN) are connected respectively to the upper/lower chords (1). Regarding claim 2, the lower/upper end portions (12,14) of GB 888,798 include lower and upper angularly (90 degrees) extending flat end portions and each compression web (C) and tension web (T) have holes (indicated by dotted line), page 2, lines 123-125 that correspond with holes formed in the upper/lower chords (1) each for receiving bolts (15). In reference to claim 3, the tension (T) and compression (C) webs are connected at upper (UN) and lower (LN) nodal points, see the marked attachment, by a single bolt (15). Regarding claim 4, the tension (T) and compression (C) webs include intermediate sections (I) extending between parallel upper and lower flat end portions (12,14). In reference to claim 5, the flat end (14) of the compression web (C) extend inwardly of a corresponding flat end (12) of a tension web (T) wherein the tension (T) web is bolted (15) to the compression web (C) through the holes indicated by dotted lines therein. Regarding claim 6, the compression web (C) is Z-shaped, page 2, lines 95-109. Regarding claim 8, the tension (T) and compression (C) webs extend in opposed diagonal directions. In reference to claim 30, all of the tension webs (T) are parallel to other tension webs (T) and the compression webs (C) are parallel to other compression webs (C).

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Claim Rejections - 35 USC § 103

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

5. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over GB 888,798 in view of GB 493,635. GB 888,798 discloses the basic claimed joist except for the use of a load transfer member disposed adjacent to the tension web. GB 493,635 teaches that it is known in the art to provide a joist assembly with a load transfer member (LT) that is disposed adjacent the tension web (12,13). Hence, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the assembly of GB 888,798 with the load transfer member of GB 493,635 in order to strengthen the joist by reinforcing the node points and distributing applied loads accordingly.

Allowable Subject Matter

6. Claims 7 and 10-12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. The following is a statement of reasons for the indication of allowable subject matter:

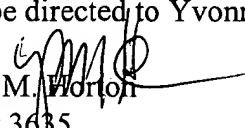
In reference to claim 7, the prior art of record fails to disclose the use of a joist having the combination of compression and tension members attached at the upper and lower ends thereof; wherein each compression member extends at right angles to the upper and lower flat in portions.

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Regarding claims 10-12, the prior art of record fails to teach the use of a load transfer member having an angular extending portion that bears against the intermediate portion of the tension web.

Response to Arguments

8. Applicant's arguments with respect to claims 1-6,6,9 and 30 have been considered but are moot in view of the new ground(s) of rejection.
9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yvonne M. Horton whose telephone number is (703) 308-1909.


Yvonne M. Horton
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November 17, 2003